

Q. Well directly back of you there was a vacant lot, was there not? A. Yes.

(Examination concluded.)

(Adjourned until tomorrow morning.)

#### TRAVERSER'S ELEVENTH BILL OF EXCEPTIONS.

After the occurrences of the matters set out in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large, witness FRED SANDBERG, a witness of lawful age, called on behalf of the State, after having been duly sworn, testified as follows:

#### DIRECT EXAMINATION.

Q. (By Mr. Green): What is your official position? A. I am a detective of the Metropolitan Police of Washington, D. C. detailed as official photographer.

Q. Can you identify those photographs, first? A. Yes, sir.

Q. Who took those photographs? A. I took those photographs.

(The Court): You say he was the official photographer?

(Mr. Green): Yes, sir, and took the photographs.

Q. Now, Mr. Sandberg, did you visit Annapolis? A. Yes, sir.

Q. Did you visit this scene of this alleged crime? A. Yes, sir.

Q. Did you make a sketch of it? A. I did.

Q. Of the building and the position of the different noted?

(Objected to unless it was shown by the State that he was there before the body was moved. I don't know whether the body was moved or not, I don't know when he was there, what time.)

(The Court): What is the purpose of it?

(Mr. Green): It is a sketch that I want the witness to identify as being a proper representation of the inside of the dwelling.

(The Court): It is not intended to show the body.

(Mr. Green): No, it represents the body lying on the bed in the position that all the witnesses testified it was there.

(Objected to.)

(Mr. Green): It was first offered by my brother for some sketch of the room.

(Mr. Brady): I only asked my question to satisfy myself as to where the lady was standing when she saw the body.

(Mr. Green): My understanding is you used that sketch.

(Mr. Brady): I didn't show it to the jury.

(The Court): This is admissible and it is not admissible; if certain sections of it is taken out, if you eliminate the bed and the figure on it, and the officer will say it was the surroundings as he saw it and somebody has said so, but that figure ought not to be there.

(Mr. Green): We will obliterate the figure, but can't obliterate the bed because it was there.

(The Court): Yes.

(Mr. Green): We will do that.

(The Court): Strike out the figure and it will be admissible. I suppose that is your principal objection to it?

(Mr. Brady): Yes sir; I don't know what they are going to prove.

Q. When did you make that sketch? A. On the afternoon of August 12th.

Q. That was two days afterwards? A. Four days afterwards.

(Objected to, even the bed.)

(The Court): I understand what you have there outside of that figure is what you took yourself?

A. What I saw in the house that was taken from my own observation and information.

(The Court): The figure was put there as described by somebody else?

A. Yes, sir.

(Mr. Hartman): It has been identified by two witnesses who said that was the location.

(The Court): I think the plat was first shown by you on cross-examination.

(Mr. Brady): I didn't show it for the purpose of using the plat; I only wanted to satisfy myself as to where the lady was standing and she said she was between the bed and the wall, which was about two feet.

(Mr. Green): I have cut out the figure and left the word bed there.

(Mr. Brady): I will ask a question whether he knows that is the same position of everything the night of August 8th as it was when taken on the day of August 12th?

(The Court): I don't suppose he could answer that, other witnesses, one has said it is, just as it was that night. I forget the lady's name, one of the ladies said that is a correct representation of the ground floor.

(Mr. Green) : Yes, I asked her about the bath room, the table, the range and everything.

(The Court) : Yes, that is all right.

(Exception noted.)

(Mr. Green) : Now, gentlemen of the jury, we show you the sketch of the location of the furniture in the room and the middle room and the kitchen and the chiffonier and the dresser and the door in the front room and the entrance in the cellar way and the location of the different pieces of furniture in the kitchen.

#### CROSS-EXAMINATION.

Q. When did you take the photograph? A. I took it on the 10th of August.

Q. Where? A. At Sardo's undertaking establishment in Washington.

Q. In Washington? A. Yes, sir.

Q. Who was present? A. The undertaker and myself and his assistant.

Q. Who authorized you to take that?

To which ruling of the Court the traverser by his counsel excepted, and prays the Court to sign and seal this his Eleventh Bill of Exceptions which is accordingly done this — day of April, 1918.

(Exception refused.)

FRANK I. DUNCAN.

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#### TRAVERSER'S TWELFTH BILL OF EXCEPTION.

After the occurrence of the matter set out in the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh bill of exceptions, all of which is hereby made a part hereof as fully as if the same were herein repeated at large,